

**Town of Clarence
Planning and Zoning**

Memo

To: Town Board Members

From: James Callahan, Director of Community Development

cc: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

Date: February 20, 2015

Re: February 25, 2015 Town Board Meeting Agenda

Following is a review/analysis of the items listed on the February 25, 2015 Town Board Agenda:

PUBLIC HEARINGS:

1. ANNUAL REVIEW OF MASTER PLAN 2015.

A public hearing shall be held once a year, as initiated by the Town Board, to gather input from the public and other interests on Master Plan 2015.

FORMAL AGENDA ITEMS:

1. SEVENTEEN HUNDRED PROPERTIES, 8353 MAIN STREET.

Location: Southeast corner of Main Street and Susan Drive.

Description/History: Existing vacant land located in the Residential Single Family Zone. A use variance was granted in 2007 by the ZBA to allow for a commercial use as a nail salon. Conditions of the variance approval identified that any change in use would require approval by the Town Board.

Proposal: Applicant is proposing to develop a 1 story professional office building for a property management business.

Master Plan: Area identified in the Harris Hill Traditional Neighborhood District.

Reason for Town Board Action: Per the use variance granted to allow for a commercial use, the Town Board has final approval authority for any change in use.

Issues: The Planning Board has forwarded a recommendation to issue a Negative Declaration under SEQRA and to approve the change in use as designed, with conditions.

2. TOWNE MASERATI, 8215 MAIN STREET.

Location: South side of Main Street, east of Transit Road behind the BMW Dealership.

Description/History: Existing previously approved office use located in the Commercial Zone and within Erie County Sewer District #5.

Proposal: Applicant is proposing to develop a Maserati Dealership at this location.

Master Plan: Area identified in a commercial district.

Reason for Town Board Action: Per the Zoning Law the Town Board has approval authority via a Special Exception Use Permit for automotive uses.

Issues: The property previously underwent an environmental review for the office use. The Town Board will be Lead Agency on this modification. All setbacks and bulk requirements are per code. The existing office space on the parcel will remain. The Planning Board has forwarded a recommendation to approve the change-in-use. A public hearing will be required to consider a Special Exception Use Permit.

3. REGENT DEVELOPMENT/WEHRLE DOME APARTMENTS, 8230 WEHRLE DRIVE.

Location: North side of Wehrle Drive east of Transit Road.

Description/History: Existing driving range located in the Commercial Zone.

Proposal: Applicant is proposing a mixed use project including 112 units of multiple family housing.

Master Plan: Area identified in a commercial classification and within Erie County Sewer District #5.

Reason for Town Board Action: Per the Zoning Law, the Town Board has authority to approve multiple family housing projects with a Special Exception Use Permit.

Issues: The ZBA has granted a use variance to allow for 112 residential units. A Negative Declaration under SEQRA has been issued by the Town Board and by the ZBA on the actions. The Planning Board has approved the Concept Plan and architectural style of the amended design. A public hearing is required to consider the SEUP.

4. DOMENIC PIESTRAK/SPAULDING GREEN OPEN SPACE DESIGN SUBDIVISION.

Location: North side of Greiner Road east of Goodrich Road.

Description/History: Existing previously approved Development Plan for extension of streets within the Spaulding Green Development to connect to Greiner Road. Phase includes approximately 2200 linear feet of Glenview Drive with 30+/- sublots.

Proposal: Applicant is seeking Final Plat approval and road dedication.

Master Plan: Area identified in a residential classification and as a part of the Heise Brookhaven Trunk Sewer development and within Clarence Sewer District #4.

Reason for Town Board Action: Per the Subdivision Law, the Town Board has final approval authority for final plats and public road dedications.

Issues: The Town Highway Superintendent and Town Engineer must accept the construction.

WORK SESSION ITEMS:

1. RENEWAL OF TEMPORARY CONDITIONAL PERMITS FOR 2015.

2. KEN SCHULTZ/NIAGARA TRUCK EQUIPMENT, 8033 TRANSIT ROAD.

Location: East side of Transit Road, north of Wolcott Road.

Description/History: Existing commercial structure, former Gateway Equipment Building, located in the Restricted Business Zone.

Proposal: Applicant is seeking approval to occupy the structure and operate Niagara Truck Equipment, an existing business in Niagara County, and would like to display trailers and plows for sale and temporarily store deliveries in the rear.

Master Plan: Area identified in a restricted business classification.

Reason for Town Board Action: The structure and use thereof is identified as a pre-existing use in the Restricted Business Zone. The outdoor storage of equipment for sale/storage must be approved by the town board via a Temporary Conditional Permit.

Issues: The applicant has provided a description of the intended display and an associated site plan. A public hearing will be required to consider the storage use.